

DOCKET NO. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 2017

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SCOTT MANSFIELD

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

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**APPLICATION FOR SIXTY (60) DAY EXTENSION OF TIME IN WHICH TO FILE  
PETITION FOR WRIT OF CERTIORARI TO THE FLORIDA SUPREME COURT**

COMES NOW the Petitioner, SCOTT MANSFIELD, by and through the undersigned counsel, and pursuant to Supreme Court Rule 13-5, and respectfully requests as extension of sixty (60) days within which to file his Petition for Writ of Certiorari to the Florida Supreme Court. In support of his request, Petitioner, through counsel, states the following:

1. Petitioner is an indigent death-sentenced inmate in the custody of the State of Florida. Undersigned counsel has represented Petitioner in collateral proceedings in state and federal court since approximately 2005, along with primary counsel / attorney of record James Driscoll. Counsel have represented

Petitioner in the scope of their employment with the Law Offices of Capital Collateral Regional Counsel - Middle Region (CCRC-M). Counsel was appointed to represent Mr. Mansfield in the United States District Court for the Middle District of Florida, as well as in the United States Court of Appeals for the Eleventh Circuit pursuant to the Criminal Justice Act (18 U.S.C. §3006A).

2. This case follows from the decision of the Florida Supreme Court affirming the trial court's denial of Mr. Mansfield's successive motion for postconviction relief filed under Florida Rule of Criminal Procedure 3.851.

3. This Court has certiorari jurisdiction under 28 U.S.C. §1257.

4. The Florida Supreme Court issued the opinion affirming the trial court's denial on July 5, 2018. (Attachment A). No motion for rehearing was filed. Petitioner's current due date for the petition is October 3, 2018.

5. Petitioner shows the following good cause in support of this request:

A. Attorney of record James Driscoll underwent emergency surgery on August 6, 2018. He was recently released from the hospital, and will be out of the office for an unknown period of time on extended medical leave/rehabilitation. Legal team member attorney Gregory Brown recently left the Office of the CCRC-M and took new employment.

B. Undersigned counsel is left with a number of very active cases that require considerable work and attention to provide the representation necessary in capital cases.

C. Undersigned counsel currently has a complex brief due to be filed in the Florida Supreme Court on October 22, 2018 (Appellee / Cross-Appellant Mark Anthony Poole FSC No. 18-245). In addition to this certiorari petition which is due October 3, 2018, counsel currently has 3 separate certiorari petitions due in this Court in less than 50 days: due date of September 24 (Petitioner Duane Eugene Owen FSC No. 18-382), due date of October 1, 2018 (Petitioner Ray Lamar Johnston FSC No. 17-1678), and due date of October 3, 2018 (Petitioner Perry Alexander Taylor FSC No. 17-1501). Remarkably, both Taylor and Mansfield became final on the same day: Friday July 5, 2018, therefore counsel currently has two certiorari petitions due on the same day: October 3, 2018.

D. As a result of the forgoing, counsel respectfully requests a 60-day extension of time [from the current September 24, 2018 due date] to submit a petition for writ of certiorari.

WHEREFORE, Petitioner, through undersigned counsel, respectfully requests an extension of sixty (60) days from the September 24, 2018 date to file the Petition for Writ of Certiorari on behalf of Petitioner.

/s/ David D. Hendry

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